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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF ARIZONA**

8 United States of America,) Mag. No. 08-3001M
9)
10 Plaintiff,)
11 vs.) **ORDER RE: EXTENDING TIME**
12 Jesus Perez-Valerio,) **TO INDICT**
13)
14 Defendant.)
_____)

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16 **HAVING** considered Defendant Jesus Perez-Valerio's Motion to Extend
17 Time to Indict and good cause having been shown;

18 **THE COURT** makes the following findings:

- 19 1. Counsel for defendant has only recently been appointed;
- 20 2. The defendant earnestly wishes to consider the plea offer extended by the
21 government;
- 22 3. The defendant wishes to investigate possible defenses prior to
23 considering the government's plea offer;
- 24 4. The government's plea offer, if accepted by the defendant and then the
25 Court, would likely reduce defendant's exposure to a significant term of
26 imprisonment;
- 27 5. If the defendant does not timely accept the plea offer prior to
28 indictment, the government will withdraw said plea offer and any

1 subsequent plea offer after indictment would likely be less advantageous
2 to the defendant;

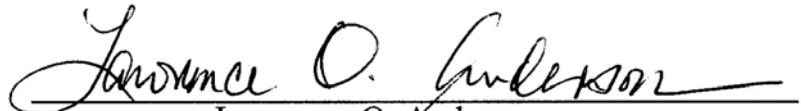
3 6. Failure to extend time for indictment in this instance would thus operate
4 to bar defendant from reviewing the government's plea offer in a meaningful way
5 prior to indictment; and

6 7. The ends of justice served by this continuance outweigh the best interest
7 of the public and the defendant in a speedy indictment.

8 IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment
9 requesting an extension of thirty (30) days within the government may seek to indict
10 defendant, is hereby granted.

11 IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. §
12 3161, the Government shall have an extension of thirty (30) days to file a timely
13 Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of
14 thirty (30) days in which the Government may present the case to the grand jury.

15 DATED this 12th day of February, 2008.

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19 Lawrence O. Anderson
20 United States Magistrate Judge
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